

EXHIBIT 43

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - x

HILLARY LAWSON, KRISTINA HALLMAN,
STEPHANIE CALDWELL, MOIRA HATHAWAY,
MACEY SPEIGHT, ROSEMARIE PETERSON,
AND LAUREN FULLER,

Case No.: 1:17-cv-06404

Plaintiffs,

-against-

HOWARD RUBIN, JENNIFER POWERS, and the
DOE COMPANY,

Defendants.

- - - - - x

****CONFIDENTIAL****

Oral deposition of [REDACTED]
taken pursuant to notice, was held at
the law offices of DECHERT LLP, 1095
Avenue of the Americas, New York, New
York, commencing October 23, 2018, 11:45
a.m., on the above date, before Leslie
Fagin, a Court Reporter and Notary
Public in the State of New York.

- - -

MAGNA LEGAL SERVICES
320 West 37th Street, 12th Floor
New York, New York 10018
(866) 624-6221

Page 38

Page 40

1 [REDACTED] - Confidential
2 beautiful women, correct?
3 A. Yes.
4 Q. What did you understand by the
5 words, spend time?
6 A. Have companionship, be friends,
7 have a relationship.
8 Q. A sexual relationship?
9 A. I'm sure that would occur, yes.
10 Q. Why were you sure of that before
11 you met him?
12 A. I mean, I just thought that's why
13 we were meeting, because he wanted, like, a
14 dating style relationship with younger,
15 beautiful woman.
16 Q. You considered yourself to be a
17 beautiful woman?
18 A. Yes.
19 Q. So [REDACTED] this is somebody you
20 didn't know much about?
21 A. No.
22 Q. How old were you in 2015?
23 A. Twenty-two or 23.
24 Q. You were a 22 year old woman and
25 somebody you didn't know much about was

Page 39

1 [REDACTED] - Confidential
2 suggesting that you go to New York and meet
3 with a man you never met before?
4 A. Yeah.
5 Q. Did you ask any questions about
6 him?
7 A. Not a lot.
8 Q. Did you know how old he was?
9 A. I think so.
10 Q. Did you know what he did for a
11 living?
12 A. No.
13 Q. Isn't it a fact that you were
14 supposed to get paid for your visit to Mr.
15 Rubin?
16 A. Yes.
17 Q. And she explained that he would fly
18 you to New York and you would have a nice
19 place to stay during your trip there.
20 Did you ask anything about the
21 place?
22 A. No, she told me it was in New York,
23 a nice condo.
24 Q. Had you ever been to New York
25 before?

1 [REDACTED] - Confidential
2 A. One time.
3 Q. When was that?
4 A. I can't remember the year exactly.
5 I think maybe 2013 or '14.
6 Q. What was the occasion on which you
7 were in New York?
8 A. I was just here on vacation.
9 Q. With whom?
10 A. With my boyfriend.
11 Q. And she told you that Mr. Rubin was
12 really nice, correct?
13 A. Yes.
14 Q. What else did she say?
15 A. That's all.
16 Q. Did she tell you he was interested
17 in rough sex?
18 A. Not to the extent of what happened.
19 Q. To what extent did she tell you
20 about it?
21 A. She said like rough, playful sex.
22 Q. I'm sorry?
23 A. Rough, playful sex.
24 Q. So you knew before you came here,
25 the first time you met Mr. Rubin, that he was

Page 41

1 [REDACTED] - Confidential
2 interested in having rough, playful sex with
3 you?
4 A. Yes.
5 Q. You knew he was going to be paying
6 you money?
7 A. Yes.
8 Q. This is before you came to New York
9 the first time to see Mr. Rubin?
10 A. Yes.
11 Q. Did she say how much money you
12 would be paid?
13 A. I think there was a figure, but it
14 depended on, you know, what happened, if I
15 even wanted to continue to have a
16 relationship with him or if we even liked
17 each other.
18 Q. It was going to be \$5,000 if you
19 had sex, right?
20 A. Yes.
21 Q. The next paragraph is paragraph
22 252. [REDACTED] introduced Speight to Rubin and
23 Speight, believing [REDACTED] portrayal of
24 Rubin's, character flew to New York, is that
25 correct?

Page 46

Page 48

1 [REDACTED] - Confidential

2 [REDACTED]

1 [REDACTED] - Confidential

2 [REDACTED]

Page 47

Page 49

1 [REDACTED] - Confidential

2 [REDACTED]

1 [REDACTED] - Confidential

2

That's completely wrong, correct?

3 A. I'm not sure if that's wrong.

4 Q. So it could have been -- you just
5 flew up here, Jen Powers made reservations
6 for you for a flight on October 12, 2015 and
7 you didn't meet Mr. Rubin that day?

8 A. I think I did meet him -- yes, I
9 did.

10 Q. You signed a nondisclosure
11 agreement when you came up then?

12 A. Yes.

13 Q. So it wasn't in March of 2016, but,
14 rather, in October of 2015 that you signed
15 the nondisclosure agreement, correct?

16 A. Yeah.

17 Q. I'm not trying to trick you.

18 Take a look at the exhibit, where
19 it says, Confidentiality Agreement, and turn
20 it over to the second page.

21 A. To my knowledge, I thought that was
22 the first time I went, I thought that was the
23 date. I never had a copy of this. I didn't
24 have anything in my records.

25 Q. What is the date?

1 [REDACTED] - Confidential
2 Q. Where was that?
3 A. At the penthouse.
4 Q. But you don't even remember what
5 day it was?
6 A. I remember every time, there was
7 alcohol, there was lots of alcohol.
8 Q. But you don't remember whether it
9 was in the penthouse or [REDACTED],
10 correct?
11 A. I don't think I remember exactly
12 where we were. We were so many different
13 places all together, I don't know. There was
14 alcohol everywhere we were.
15 Q. Where were the places that you went
16 to with Mr. Rubin during the course of your
17 relationship with him, other than the
18 penthouse?
19 A. Restaurants around the area.
20 Q. Where?
21 A. I don't remember the names.
22 Q. Anywhere else, other than
23 restaurants?
24 A. No.
25 Q. So you don't know, as you sit here

1 [REDACTED] - Confidential
2 today, whether you were under the influence
3 --
4 A. I know I was under the influence of
5 alcohol, because if it was the first time I
6 met them, there was alcohol involved on the
7 plane ride, there was alcohol involved, as
8 soon as I walked in the door, everywhere.
9 Q. How much alcohol did you have on
10 the plane ride?
11 A. I can't remember.
12 Q. You were nervous, right, coming to
13 New York?
14 A. Yes.
15 Q. You were 23 years old?
16 A. Yes.
17 Q. This is the second time coming to
18 New York?
19 A. Yes.
20 Q. You are coming to a big penthouse
21 in Manhattan to have sex with a man?
22 A. They encouraged me to drink.
23 Q. Who encouraged you to drink?
24 A. Howard Rubin and [REDACTED]
25 Q. When did you speak to Mr. Rubin to

1 [REDACTED] - Confidential
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED] - Confidential
2 Q. Would he pour the alcohol into your
3 mouth?
4 A. I don't think it was quite like
5 that.
6 Q. Did he threaten you and tell you he
7 was going to do anything to you if you didn't
8 drink?
9 A. No.
10 Q. With those WhatsApp messages that
11 you said that you with -- conversations that
12 you had with Mr. Rubin, did you turn them
13 over to your lawyer?
14 A. Yes, I gave everything.
15 Q. You are sure?
16 A. Yes.
17 Q. So in this document, you said that
18 you were not under the influence of drugs or
19 alcohol, that's what you said in this
20 document that you signed, correct?
21 A. Yeah, I was -- there was not even
22 time to read this. It was sort of signing it
23 while we are out partying.
24 Q. I thought you were in the
25 penthouse.

Page 58

Page 60

1 [REDACTED] - Confidential
2 A. There was tons of alcohol in the
3 penthouse.
4 Q. You said there wasn't much time to
5 read the document when you were out partying?
6 A. Out partying in the penthouse,
7 that's out to me. I am away from my home.
8 Q. Was there enough time for you to
9 initial every paragraph of the document?
10 A. I guess.
11 Q. Don't guess. Take a look at the
12 document.
13 A. I said yes.
14 Q. I thought you said I guess, I'm
15 sorry.
16 That's your initials that appear
17 starting at the third paragraph of the
18 document, correct?
19 A. Yes.
20 Q. And you initial every paragraph in
21 the document, correct?
22 A. Yes.
23 Q. And you signed the document with
24 your signature at the bottom of the second
25 page, correct?

Page 59

1 [REDACTED] - Confidential
2 A. Yes.
3 Q. And what's the date?
4 A. 10/12/15.
5 Q. Then you printed your name,
6 correct?
7 A. Yeah. This looks different,
8 though. Do we not have the --
9 Q. How does the document look
10 different from what you remember?
11 A. It just does.
12 Q. So it says, I'm signing this
13 agreement of my own freewill.
14 Do you see that?
15 A. Yes.
16 Q. Did you sign it? Did you attest to
17 that?
18 A. Yes.
19 Q. It says, Because I want to engage
20 in the activities described below with Howard
21 Rubin in return for a fee that I have agreed
22 to.
23 Do you see that?
24 A. Yes.
25 Q. You have no trouble reading and

1 [REDACTED] - Confidential
2 understanding those words, do you?
3 A. No.
4 Q. You signed your name at the bottom
5 indicating you had read and understood the
6 words, correct?
7 A. Yes.
8 Q. And the next paragraph, it says, In
9 return for the payment of an agreed upon fee,
10 I have voluntarily agreed to engage in sexual
11 activity with Rubin.
12 Do you see that? Is that true?
13 A. Yes.
14 Q. Including sadomasochistic SM
15 activity that can hazardous and, on occasion,
16 cause injury to my person.
17 Do you understand what those words
18 mean?
19 A. Yes.
20 Q. Did you understand those words in
21 2015?
22 A. I don't think I knew.
23 Q. You don't think you knew, what?
24 A. I don't think I knew what that
25 meant.

Page 61

1 [REDACTED] - Confidential
2 Q. You didn't know what hazardous and,
3 on occasion, cause injury to my person meant?
4 A. I mean, the -- no.
5 Q. I'm sorry?
6 A. No.
7 Q. No, what?
8 A. I don't understand the
9 sadomasochistic, all this sexual, I didn't
10 know what this meant exactly.
11 Q. Well, you knew what sexual activity
12 was?
13 A. Of course, yes.
14 Q. You knew what can be hazardous and,
15 on occasion, cause injury to my person, you
16 know what those words mean?
17 A. Yes.
18 Q. So you are signing a document here
19 that says you voluntarily agreed to engage in
20 sexual activity, including S&M activity that
21 can be hazardous and, on occasion, cause
22 injury to my person.
23 You see that, right?
24 A. Yes.
25 Q. You understand that means that the

Page 72

1 [REDACTED] - Confidential

1 A. Yes.
2
3 Q. You said you would never see him
4 again, right?
5 A. Yeah, I think I said that, I can't
6 remember the conversation.
7 Q. Do you remember on the very last
8 line, at 10:02 p.m., you say, By the way,
9 will you please send me your PayPal -- excuse
10 me. Do you remember Jen Powers saying to
11 you, Would you please send me your PayPal,
12 Addy?
13 A. I don't remember, I don't remember
14 this conversation.
15 Q. Did anything happen that night,
16 were you injured in any way that night?
17 A. I can't remember. There was a lot
18 of alcohol.
19 Q. So you don't remember whether you
20 were injured that night, correct?
21 A. Correct.
22 Q. Take a look at the Exhibit 4. You
23 see this is a document dated Tuesday, October
24 13th.
25 A. Okay.

Page 73

1 [REDACTED] - Confidential

2 Q. Going down, it says you sent a
3 payment, Dear Jennifer Powers, You sent a
4 payment for \$1,000 to [REDACTED]
5 Do you recall that you were paid
6 \$1,000 for the -- for your first visit with
7 Mr. Rubin?
8 A. I can't remember exactly.
9 Q. Does this reflect that you were?
10 A. It does reflect.
11 Q. Do you have any reason to believe
12 you weren't paid \$1,000 by Mr. Rubin?
13 A. No, I don't have any reason to
14 believe that.
15 Q. On your first visit with Mr. Rubin,
16 a [REDACTED] was used, right?
17 A. I think so.
18 Q. Do you recall that there was rough
19 sex?
20 A. Yeah, there was some rough sex.
21 Q. But you weren't injured in any way?
22 A. No, I don't think so.
23 Q. You weren't physically harmed?
24 A. I can't remember.
25 Q. What about psychological trauma,

Page 74

Page 76

1 [REDACTED] - Confidential
2 did you suffer any psychological trauma in
3 your first visit with Mr. Rubin?
4 A. Yes.
5 Q. What was that psychological trauma?
6 A. I mean mental abuse, name calling.
7 Q. He called you a name?
8 A. Yeah.
9 Q. Do you think that justifies \$9
10 million in damages?
11 A. I'm not sure what you are asking
12 me.
13 Q. You said he called you names and
14 I'm asking whether you were harmed by that?
15 A. Yeah.
16 Q. Do you understand that?
17 A. Yeah, I was harmed by that.
18 Q. What name did he call you?
19 A. There was tons of names.
20 Q. Let's focus on this particular
21 visit.
22 A. I don't remember.
23 Q. You don't remember.
24 By the way, no one forced you to
25 come to see Mr. Rubin, right?

1 [REDACTED] - Confidential
2 [REDACTED]

Page 75

Page 77

1 [REDACTED] - Confidential
2 A. No.
3 Q. You came of your own accord?
4 A. Yes.
5 Q. No one tricked you to come see Mr.
6 Rubin?
7 A. No.
8 Q. Isn't it a fact that the next time
9 you saw Mr. Rubin was on November 13, 2015?
10 A. I can't remember that date.
11 Q. But in your complaint, you say the
12 first time you saw him was in March of 2016,
13 right?
14 A. Yes.
15 Q. Take a look at Exhibit No. 5.
16 (Speight Exhibit 5, Delta Airlines
17 document, marked for identification.)
18 Q. This is a Delta Airlines document
19 and it says, From Jennifer Powers, Friday,
20 November 13, 2015 at 3:00 a.m., your flight
21 receipt for [REDACTED] 13 November
22 '15 and that flight was booked for Friday,
23 November 13th from Atlanta, Georgia to
24 LaGuardia Airport.
25 Does that refresh your recollection

1 [REDACTED] - Confidential
2 [REDACTED]

1 [REDACTED] - Confidential
2 the rudest man you had ever seen or ever
3 encountered, right?
4 A. I can't remember what I said.
5 Q. Did you think he was a rude man?
6 A. Yeah, I think he is a rude man,
7 yes.
8 Q. I'm sorry. I just want to go back
9 to the Exhibit 3.
10 Take a look on page 2. The date is
11 October 13, 2015 and it's [REDACTED] and the
12 third line, not halfway through the line, it
13 says, Even though I know him and I will never
14 meet him again, I just wanted to tell you
15 that, I had a great experience and I am so
16 glad I met you, smiley face.
17 Isn't it a fact that you said that
18 to Jen Powers?
19 A. I can't remember any of our
20 conversations.
21 Q. You don't remember saying you had a
22 great experience with Mr. Rubin?
23 A. No, I don't remember that.
24 Q. You see the words that are
25 attributed to you, [REDACTED]?

1 [REDACTED] - Confidential
2 A. I can read them right here, yes.
3 Q. It says you had a great experience?
4 A. That's what I'm reading right here.
5 Q. Do you have any reason to believe
6 that you didn't tell Jen Powers that you had
7 a great experience with Mr. Rubin the first
8 time you met him?
9 A. I can't remember anything right
10 now.
11 Q. Do you have any reason to believe
12 you didn't say that?
13 A. I don't know.
14 Q. You don't deny you said it, do you?
15 A. I don't know.
16 Q. Is it possible that you said that
17 you had a great experience with Mr. Rubin?
18 A. I'm not sure.
19 Q. You are not sure whether you said
20 it or you are not sure whether you did?
21 A. Both.
22 Q. Going back to the November
23 encounter with Mr. Rubin. So the first time
24 you met him was in October of 2015, correct?
25 A. I can't remember.

1 [REDACTED] - Confidential
2 Q. But you thought maybe you would
3 never see him again, right?
4 A. I can't remember exactly.
5 Q. But you got paid \$1,000 for that
6 visit, right?
7 A. I did get that money from Jennifer
8 Powers, yes.
9 Q. But there came a time when you
10 visited him a second time, correct?
11 A. Correct.
12 Q. And you knew that when you were
13 going to be visiting him, that you were going
14 to be having sex with him, correct?
15 A. Yes.
16 Q. You knew you were going to be
17 getting paid?
18 A. Yes.
19 Q. You knew the sex was going to be
20 rough sex?
21 A. I knew it would be rougher than
22 normal sex.
23 Q. And going down to November 12,
24 2015, at 7:10, it says, You will be departing
25 somewhere around 9:00 or 11:00 a.m. and you

1 [REDACTED] - Confidential
2 say, [REDACTED] Okay, awesome, smiley face,
3 correct?
4 A. I see what it says right here. I
5 can't remember this conversation.
6 Q. Were you looking forward to your
7 second visit with Mr. Rubin?
8 A. I can't remember.
9 Q. You remember that he didn't force
10 you to come up to New York the second time?
11 A. Right.
12 Q. He didn't trick you?
13 A. No.
14 Q. You came because you wanted to come
15 up because you were going to get paid,
16 correct?
17 A. Yeah.
18 Q. You were hoping things would go
19 better than the last time when you got only
20 \$1,000, right?
21 A. I can't remember, but -- I can't
22 remember.
23 Q. Why is it you can't remember?
24 A. There are just some details I can't
25 remember.

Page 82

Page 84

Q. You are suing these two people. You see Jen Powers here, you met her?

A. Yes.

Q. You see her here?

A. Yes, I see her.

Q. You see Howard Rubin?

A. I see him.

Q. You are suing them for \$9 million plus, correct?

A. Correct.

Q. You don't remember your conversations with them?

A. I remember some of the conversations, not everything, not all the details. This isn't the only conversation we've had.

Q. I know it's not the only conversation you had. We will get into a lot of them.

Go over to the next page. Page 3
at 7:30 a.m., [REDACTED] says, Yes, on my way
to the airport now.

Does that reflect that on the 13th of November 2015, that you were in route to

Page 83

Page 85

- Confidential

1 [REDACTED] - Confidential

God. And after 1:04, the next communication is almost nine hours later, at 9:56 p.m.

Do you see that?

A. I'm reading it, yeah.

Q. Then it says, Hey, I hope all is good over there. Keep me posted on everything you need, XX.

Do you see that?

A. I see it.

Q. Do you recall on the afternoon and into the evening of November 13, 2015, you had a sexual encounter with Mr. Rubin?

A. I don't remember the exact time or date, I don't remember.

Q. Then the next item says, at 10:35, [REDACTED] Everything was amazing. I'm going to bed early for my flight, smiley face.

Do you remember having a sexual encounter with Mr. Rubin and telling Jen Powers after it, that everything was amazing?

A. I don't remember our conversation.

Q. Well, do you remember there came a time that you had a satisfying sexual

Page 86

Page 88

1 [REDACTED] - Confidential
2 encounter with Mr. Rubin for the first time?
3 A. I don't remember.
4 Q. Is it fair to say that the first
5 time you had a sexual encounter with him, [REDACTED]
6 [REDACTED]?
7 A. I think so.
8 Q. And you only got \$1,000, right?
9 A. Right.
10 Q. So this time, you got \$5,000. Take
11 a look at the next exhibit, PayPal exhibit
12 that shows you got \$5,000.
13 (Speight Exhibit 7, PayPal
14 document, marked for identification.)
15 Q. Do you recall that you got \$5,000
16 from Ms. Powers on Monday, the 16th?
17 A. I remember getting a payment, I
18 don't remember the exact date.
19 Q. You didn't have any complaints
20 about your second encounter with Mr. Rubin,
21 correct?
22 A. I don't think so.
23 Q. Isn't it a fact that you said that
24 everything was amazing?
25 A. I can't remember what I said.

Page 87

1 [REDACTED] - Confidential
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED] - Confidential
2 A. I don't think I did.
3 Q. In fact, he didn't cause any
4 injuries to you, right?
5 A. I can't remember exactly that day.
6 Q. Did anything happen that day that
7 gave you reason to sue Mr. Rubin for what
8 happened?
9 A. I'm not sure. I don't think that
10 day.
11 Q. Please take a look at the next
12 exhibit, Exhibit 8, Delta document.
13 (Speight Exhibit 8, Delta Airlines
14 document, marked for identification.)
15 Q. Does this refresh your recollection
16 that the next time you saw Mr. Rubin was on
17 Tuesday, January 5, 2016?
18 A. Yeah. I can't remember the exact
19 dates, but, yes, I see it here.
20 Q. And there is a return flight for
21 the next day, January 6, 2016, right?
22 A. Yes.
23 Q. By the way, the ticket amount for
24 the roundtrip ticket is on the top of the
25 next page, the third line on the next page,

Page 89

1 [REDACTED] - Confidential
2 \$1,863, correct?
3 A. That's what it says.
4 Q. It's a significant amount of money,
5 isn't it, for an airline ticket from Atlanta
6 to New York?
7 A. I guess, I don't know.
8 Q. Did you fly first class this time?
9 A. Yeah. What are you asking me?
10 Q. Did you fly first class yesterday?
11 A. No.
12 Q. Please take a look at Exhibit 9.
13 (Speight Exhibit 9, Delta Airlines
14 document, marked for identification.)
15 Q. The ticket was for January 5th to
16 New York and the top of page 4 of the
17 Jennifer Powers text messages, starting at
18 the top, it's January 3, 2016, 10:24 p.m.
19 Hey, Miss [REDACTED] I'm here to book your flight
20 to New York Tuesday. [REDACTED] Hey, Jen,
21 smiley face. [REDACTED] Okay. I assume you
22 will be flying from Atlanta. Yes, I will be
23 back in touch regarding confirmation. And
24 you say, Okay, smiley face.
25 No one was forcing you to come to

1 [REDACTED] - Confidential
2 New York on this occasion, right?
3 A. No.
4 Q. No one was deceiving you to get you
5 to come to New York on this occasion?
6 A. No.
7 Q. You were coming to New York of your
8 own free will to see Mr. Rubin to have sex
9 with him in return for money, correct?
10 A. Yeah.
11 Q. And nothing that happened in the
12 first two encounters that you had with Mr.
13 Rubin prevented you from willing to come
14 visit him a third time?
15 A. No, I don't think so.
16 Q. And, in fact, the last time you
17 visited him, you told Jen Powers it was
18 amazing, correct?
19 A. I'm not sure.
20 Q. In any case, Mr. Rubin invited you
21 to visit him in early January of 2016 and you
22 accepted, right?
23 A. Yes, I'm not sure.
24 Q. Take a look at the next exhibit,
25 Exhibit 10.

1 [REDACTED] - Confidential
2 (Speight Exhibit 10, document,
3 marked for identification.)
4 Q. This is a document that's dated
5 January 7, 2016 and says you sent \$5,000 to
6 [REDACTED] and you were charged a fee of
7 \$145.30.
8 Does that refresh your recollection
9 that you were paid \$5,000 on January 7, 2016
10 for having sex with Mr. Rubin on the --
11 A. I was sent money, yes.
12 Q. \$5,000, that's what the going rate
13 was for having sex with Mr. Rubin was?
14 A. That's what Jennifer paid me.
15 Q. That's what you expected, correct?
16 A. I did expect \$5,000.
17 Q. So on January 4th, going back to
18 Exhibit 9, January 4, 2016 at 1:57, Jen says,
19 Hey, did you get that flight info I mailed
20 you? And you said, Yes, I did. Oh, okay, I
21 had no idea. [REDACTED] Thank you, smiley
22 face. You got it.
23 Then the next day, it goes over to
24 the next day, January 5, 2016, at 1:40, [REDACTED]
25 [REDACTED] says, What floor is the condo? I keep

1 [REDACTED] - Confidential
2 screwing up, LOL. And Jen responds, Ha-ha,
3 [REDACTED].
4 Isn't that the floor and the
5 apartment number, [REDACTED], on which Mr. Rubin's
6 apartment was located?
7 A. Yeah, I can't remember the exact
8 number.
9 Q. Does this refresh your recollection
10 that you arrived for an encounter with Mr.
11 Rubin on January 5th?
12 A. Yes.
13 Q. Then the next day, at 11:54 a.m.,
14 that's in the morning, Jen says, Hey, did you
15 make it to the airport? And [REDACTED] says,
16 Hey, Jen, smiley face, yes, I'm here now.
17 And she says, Is everything good with you?
18 And then she says, Great. You say, Yes, we
19 had an awesome time, smiley face. And then
20 Jen responds, He said he had a wonderful time
21 with you. I'm happy y'all did and also, he
22 went home before 2:00 a.m. And then you say,
23 at 11:55, ha-ha, yes, it was amazing.
24 So you told her again it was
25 amazing when you were with Mr. Rubin,

1 [REDACTED] - Confidential
2 correct?
3 A. I think so.
4 Q. So you had a sexual encounter with
5 him on the evening and afternoon of January
6 5, 2016, right?
7 A. Yeah, I think so.
8 Q. Was there rough sex involved?
9 A. I can't remember the specific time.
10 Q. But the third time you were up
11 here, that's reflected in the PayPal
12 document, the Delta Airlines record and the
13 text messages, that reflects that you were in
14 New York to have a sexual encounter with him
15 on the 16th -- on the 6th of January or the
16 5th of January?
17 A. I am not sure.
18 Q. You are not sure of the date?
19 A. I am not sure.
20 Q. Do these records reflect you
21 traveled to New York on the 5th of January
22 and you went back to Atlanta on the 6th of
23 January?
24 A. Yeah, the plane ticket does show
25 that.

Page 94

Page 96

1 [REDACTED] - Confidential
2 Q. Was there any other reason for you
3 to come to New York, other than to have sex
4 with Mr. Rubin for \$5,000?
5 A. It was just to visit him, yeah,
6 just to visit him.
7 Q. To have sex for \$5,000?
8 A. Yeah, to have sex.
9 Q. And nothing happened that day to
10 injure you physically in any way, right?
11 A. I can't remember on this day.
12 Q. You didn't complain to Jennifer
13 Powers about anything that happened to you,
14 you said that you had an awesome time,
15 correct?
16 A. I think so.
17 Q. And on this occasion, nothing
18 happened to harm you psychologically in any
19 way, correct?
20 A. I'm not sure about this day.
21 Q. You keep coming back, don't you?
22 A. Yeah, I came back.
23 Q. So if you were injured or harmed in
24 any way, you wouldn't be coming back, would
25 you?

1 [REDACTED] - Confidential
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 95

Page 97

1 [REDACTED] - Confidential
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED] - Confidential
2 the note.
3 Q. Exhibit 11.
4 (Speight Exhibit 11, Delta Airlines
5 document, marked for identification.)
6 (Speight Exhibit 12, Delta Airlines
7 document, marked for identification.)
8 Q. So Exhibit 11 is a Delta Airlines
9 document that reflects that Jen Powers, on
10 January 26, 2016, at 12:16 a.m., purchased
11 for [REDACTED] roundtrip tickets from
12 Atlanta to New York and back for Wednesday,
13 January 27th, Atlanta to New York and the
14 return is on January 28th.
15 Do you see that?
16 A. Yes.
17 Q. Does that refresh your recollection
18 that you visited Mr. Rubin on January 27th
19 and you left to go back to Atlanta on the
20 28th?
21 A. I think so.
22 Q. Can you take a look at the next
23 document. This is a document that says, From
24 the Concierge Desk at the Metropolitan Tower.
25 Metropolitan Tower is Mr. Rubin's

1 [REDACTED] - Confidential
2 apartment, do you recall that?

3 A. I think so.

4 Q. Do you recall that we went through
5 a previous email on either your first or
6 second visit and you asked Jen Powers, what
7 is the name of the apartment and she said,
8 Metropolitan Tower?

9 A. I can't remember that conversation.

10 Q. In any event, it's an email from
11 Jennifer Powers and -- the email is from the
12 concierge desk to Jennifer Powers. It says,
13 Thank you, Jen. Have a great day. And Jen
14 Powers has said, on Wednesday, January 27,
15 2016, [REDACTED] will be arriving today in
16 an hour or so. Please allow her a key when
17 she gets there, Thanks guys, Jen.

18 Do you see that?

19 A. I see that.

20 Q. Does that refresh your recollection
21 you visited Mr. Rubin on January 27, 2016?

22 A. I can't exactly remember that day.

23 Q. Do you recall that sometime in late
24 January 2016, that you came to New York for a
25 sexual encounter with him?

1 [REDACTED] - Confidential

2 from the top, it says, January 25, 2016 at
3 2:19 p.m., Hi, Sweetheart, I'm here to book
4 you to New York on Wednesday. And then you
5 respond at 8:47, Hey, Jen, I'm sorry, I was
6 at school until 7:30. Hey, there you are.
7 No worries. And then she says, Can you come?
8 And you say, Yes.

9 So, obviously, you weren't
10 protesting or complaining about having to
11 meet with Mr. Rubin, right?

12 A. I don't think so.

13 Q. You went to visit Mr. Rubin of your
14 own accord, with your own freewill, right?

15 A. Yeah, I think so.

16 Q. And on January 25th at 11:32 p.m.,
17 you say, Did you get my video?

18 What did you mean by that?

19 A. I don't know.

20 Q. You say, Whoops, meant to send that
21 to Howie, LOL, sorry, and the response is, I
22 didn't get your video.

23 Do you remember sending video
24 messages to Mr. Rubin?

25 A. I can't remember.

1 [REDACTED] - Confidential

2 A. I can't remember the exact dates.
3 I don't know.

4 Q. I'm not asking you for the exact
5 dates.

6 Do you have the PayPal document?
7 (Speight Exhibit 13, PayPal
8 document, marked for identification.)

9 Q. You see that on January 29th, on
10 Friday, that it's two days after January
11 27th, you received a \$5,000 payment by way of
12 an order given to PayPal by Jennifer Powers.

13 Do you see that?

14 A. Yeah, I see what this says.

15 Q. Does that give you reason to
16 believe that you visited Mr. Rubin on January
17 27, 2016 for a sexual encounter for a fee of
18 \$5,000?

19 A. I'm not saying it doesn't.

20 Q. Finally, take a look at the text
21 message document.

22 (Speight Exhibit 14, text message
23 excerpt, marked for identification.)

24 Q. This is page 5 of the Powers text
25 messages. Starting about six, seven lines

1 [REDACTED] - Confidential

2 [REDACTED]

1 [REDACTED] - Confidential
2 someone a video of yourself [REDACTED]?
3 A. I can't remember.
4 Q. Does that strike you as something
5 that's unusual?
6 A. I'm not saying it's unusual.
7 Q. Going down to 1/27 at 10:50 am, it
8 says, The concierge is expecting you. They
9 will give you a key when you arrive. And
10 then at 11:51, [REDACTED] says, K, thank you.
11 I assume K means okay?
12 A. I guess, I'm not sure.
13 Q. Then it jumps ahead, the next item
14 is at 7:26 and it's [REDACTED] to Jen Powers,
15 What is the password for the Seamless
16 ordering food account? Howie just told me
17 when he left, but I forgot. And then she
18 gives you the password.
19 Do you recall that Howie left
20 around 7:26 or 7:30 that evening after having
21 a sexual encounter with you?
22 A. I can't remember.
23 Q. The next day, at 5:03 p.m., you
24 say, it says, [REDACTED] Hey, Jen, has Howie
25 mentioned PayPal to you? And at 5:04, she

1 [REDACTED] - Confidential
2 says, No, not yet. Let me check in with him.
3 You say, Okay. And she says the next day, at
4 12:11, Hey, Sweetheart, \$5,000 coming your
5 way. And you say, Thank you, Jen.
6 We already saw the PayPal, so you
7 got paid \$5,000 for that visit to Mr. Rubin
8 on the 26th of January, right -- excuse me,
9 the 27th of January?
10 A. What are you asking me?
11 Q. You had a sexual encounter with Mr.
12 Rubin on the 27th of January for which you
13 were paid \$5,000?
14 A. I can't remember the specific
15 dates.
16 Q. But do you think -- do these
17 documents refresh your recollection that you
18 did, in fact, have a sexual encounter with
19 him around the time that are reflected in
20 these documents?
21 A. I could have, I can't remember.
22 Q. In fact, there is no discussion of
23 any sex that you had with Mr. Rubin that day,
24 right, in this document? I will represent to
25 you that there is no discussion of any sexual

1 [REDACTED] - Confidential
2 activity. But the fact that you were paid
3 \$5,000, does that reflect that you were, in
4 fact, engaged in sex with Mr. Rubin on the
5 27th of January?
6 A. I don't know.
7 Q. What else was he paying you \$5,000
8 for when you came to New York?
9 A. I mean, I can't remember this date,
10 I don't remember the date.
11 Q. But the document --
12 A. I can't remember what happened on
13 this date.
14 Q. So you have no reason to believe
15 then that you were injured in any way?
16 A. I just can't remember the specific
17 date.
18 Q. You have no recollection of having
19 your face injured that day?
20 A. I remember having my face injured,
21 I can't remember what date.
22 Q. There is nothing, there is no
23 complaint to Jen Powers or anybody else
24 reflected in the text messages that you were
25 complaining about being injured in any way,

1 [REDACTED] - Confidential
2 right?
3 A. On this piece of paper, I'm just
4 reading what this says.
5 Q. But were you injured by Mr. Rubin
6 in late January 2016?
7 A. I'm not sure the exact month about
8 the injuries.
9 Q. We will get into the days. Maybe
10 you will be able to tell us the days in which
11 you were injured, but there is nothing to
12 indicate that you were injured on the 26th or
13 the 27th of January 2016, right?
14 A. I don't know.
15 Q. You have no basis for filing a
16 lawsuit against him if you can't remember
17 whether you were injured on that day, right?
18 A. I remember being injured.
19 Q. But you have no recollection of
20 anything happening to you on January 26th or
21 January 27th, when you were paid \$5,000 from
22 Mr. Rubin?
23 A. I can't remember, I'm not sure.
24 Q. Well, let's get to the day you told
25 us has been etched in your mind, and that is

1 - Confidential

1 [REDACTED] - Confidential

2 Howie gave me drugs, you said you were sorry,
3 right?

4 A. I just told her I don't remember
5 speaking to her, I'm sorry.

6 Q. Do you remember saying at 10:24
7 a.m., this is on the 26th, the next day,

9 [REDACTED]? Do you remember saying that?

10 A. I can't remember exactly saying
11 that.

12 Q. Howard Rubin didn't force you to
13 [REDACTED], correct?

14 A. I'm not sure what happened this day
15 during [REDACTED].

16 Q. At 10:47 a.m., you say to Ms.
17 Powers, It's my fault, I am so sorry,
18 correct?

19 A. I'm not sure.

20 Q. You didn't say it was Howard
21 Rubin's fault you [REDACTED]?

22 A. I'm not sure.

23 Q. Going down to the next item, at
24 10:50 a.m., Jen says, It's not your fault,

1 - Confidential

1 [REDACTED] - Confidential

8 Isn't it a fact that's what she
9 said to you?

10 A. I don't remember that.

11 Q. Well, isn't it a fact that Howard
12 Rubin did not force you [REDACTED]

that day?

14 A. I don't know, I don't know if he
15 did or didn't.

16 Q. Had you ever taken [REDACTED] before?

17 A. No.

18 Q. Going over to the next page, on the
19 28th, the third item, it says, Hey, [REDACTED] I
20 sent you a PayPal for \$1,000. Let me know
21 when you get it. And then you say, I got it.
22 Thanks, Jen.

23 So isn't it a fact that even though
24 you were [REDACTED], you still got
25 paid \$1,000?

Page 126

Page 128

1 [REDACTED] - Confidential
2 A. I can't remember.
3 Q. So you don't remember whether you
4 had any damage done to you in April of 2016
5 by Mr. Rubin, right?
6 A. I can't remember the dates.
7 Q. Is it fair to say you got no
8 bruises on the 25th of April?
9 A. I can't remember the date.
10 Q. Is it fair to say you got no
11 injuries?
12 A. No, not true.
13 Q. I'm sorry?
14 A. Not true.
15 Q. On the 25th of April, you had
16 injuries?
17 A. I can't remember, I can't remember
18 that date.
19 Q. So you have no recollection of any
20 encounter with Mr. Rubin on the 25th of April
21 2016?
22 A. I can't remember a specific date.
23 Q. Were you treated by any doctor
24 after that day?
25 A. I'm not sure.

1 [REDACTED] - Confidential

Page 127

Page 129

1 [REDACTED] - Confidential

1 [REDACTED] - Confidential

Page 132

1 [REDACTED] - Confidential

2 (Speight Exhibit 25, Delta Airlines
3 document, marked for identification.)
4 (Speight Exhibit 26, Delta Airlines
5 document, marked for identification.)
6 Q. Do you see the Delta record
7 reflecting a ticket for you to travel to New
8 York on June 28th and to return to Atlanta on
9 June 29, 2016, and then also the document
10 from the concierge's desk. It says that you
11 will be arriving in the morning on July 28th.

1.2 Does that refresh your recollection
1.3 that you traveled to New York on July 28th
1.4 for a sexual encounter with --

15 MR. GROSSMAN: Objection, June. I
16 think you said July.

17 Q. June 28, 2016.

18 A. I have no idea. This doesn't make
19 sense. It says June and then July here, I
20 don't know.

21 Q. Well, take a look at the Jennifer
22 Powers -- the concierge document, and it says
23 from Jennifer Powers, Monday June 27, 2016
24 and then it says, her message is that you
25 will be arriving on Tuesday, July 28th.

Page 133

1 [REDACTED] - Confidential

2 Now, the documents from Delta

3 Airlines reflect that the trip was on the
4 28th and 29th, so is it possible, I suggest

5 to you, that the entry, July 28th, is a
6 typographical error and that this was meant
7 to apply to June 28th, which was the Tuesday

8 A. It could, possibly, but I don't
9 know.

10 Q. In any event, let's look at the
11 text message record.

(Speight Exhibit 27, text message
excerpt, marked for identification.)

Q. Just passed the middle of the page,
June 27, 2016, 4:52 p.m.

16 MR. GROSSMAN: The witness is
17 wondering if this is the same as Exhibit
18 24.

19 MS. McCLELLAN: It's a chain. The
20 beginning is the same, however, the end
21 is different.

22 Q. June 27, 2016, 4:52 p.m. Can you
23 please let me know when you land tomorrow,
24 keep me posted on everything.

25 Do you recall Jen Powers saying

Page 134

Page 136

1 [REDACTED] - Confidential
2 that to you?
3 A. I don't know. I can't even see
4 where you are.
5 Q. If you can't, just tell me and I
6 will give you time to get there.
7 6/27, past the middle of the page
8 on page 8.
9 A. Okay. Here you go.
10 Q. 4:52 p.m. Could you please let me
11 know when you land tomorrow, keep me posted
12 on everything. You say, Yes, I will. And
13 she says, Thanks, Little Mama.
14 Do you recall that?
15 A. I don't remember the exact date of
16 the conversation.
17 Q. Do you recall that she was
18 concerned about the fact that you had missed
19 the flight on June 2nd and that she wanted to
20 be kept posted on everything on the June 27th
21 trip?
22 A. I don't specifically remember, I'm
23 just looking at it right here.
24 Q. And then, in fact, what happens the
25 next day is you keep her posted, isn't that a

Page 135

Page 137

1 [REDACTED] - Confidential
2 fact?
3 Let me see if I can take it one
4 item at a time. At 9:22 a.m., [REDACTED]
5 writes, Boarding plane, smiley face. The
6 response is, Awesome, let me know when you
7 land. 12:07 p.m., [REDACTED] -- at 12:07
8 p.m., [REDACTED] says, Landed. The response
9 from Jen is, Great, the condo is expecting
10 you. [REDACTED] says, What is that address
11 again? [REDACTED]
12 How many times had you been there
13 at this point?
14 A. I don't know, I can't remember.
15 Q. Then at 6/28, at 2:52 p.m., H is
16 headed over. Have a good afternoon. [REDACTED]
17 [REDACTED] K, thanks Jen, smiley face, you, too.
18 Thanks, smiley face.
19 Do you recall that, that you
20 arrived at the condo or the penthouse on the
21 afternoon of 6/28/16?
22 A. I can't remember.
23 Q. Maybe this will refresh your
24 recollection. 6:34, second to last item on
25 the page, [REDACTED] you write, [REDACTED]

1 [REDACTED] - Confidential
2 [REDACTED] date of birth, [REDACTED] /92.
3 Who was [REDACTED]?
4 A. [REDACTED] is a girl that was
5 my friend.
6 Q. How did you know her?
7 A. We went to the same college.
8 Q. Which one?
9 A. [REDACTED]
10 Q. And did she also make it a practice
11 to accept money from men in return for sex?
12 A. I have no idea.
13 Q. Weren't you present at the
14 apartment that night when she showed up for
15 sex?
16 A. She wasn't there to hang out with
17 Howie, I remember that specifically.
18 Q. What was she there for?
19 A. I think just to hang out with me.
20 Q. She was going --
21 A. All I remember is her.
22 Q. Were you doing a threesome?
23 A. No.
24 Q. Was somebody else there?
25 A. I can't remember if there was

1 [REDACTED] - Confidential

2

1 [REDACTED] - Confidential

2 Q. And when you proposed to [REDACTED]
3 [REDACTED] that she come to New York to meet with
4 you and Mr. Rubin, did you say that she was
5 going to be compensated for that trip?
6 A. I don't remember.
7 Q. You don't remember.
8 Do you recall speaking to her and
9 hearing her say, why should I come to New
10 York?
11 A. I don't exactly remember what I
12 said to her.
13 Q. I'm trying to bring out this is
14 something that was an unusual event.
15 Was it an unusual event for you to
16 do something like that, to invite a friend of
17 yours to come in the evening to visit New
18 York and then to leave first thing the next
19 morning?
20 A. It's not unusual to me.
21 Q. Have you ever done something like
22 that before?
23 A. No.
24 Q. So this didn't strike you as being
25 unusual, it didn't stick out in your mind?

Page 142

1 [REDACTED] - Confidential
2 A. No.
3 Q. Do you consider her a good friend?
4 A. We don't talk anymore.
5 Q. Why is that?
6 A. We just had some disagreements
7 about some stuff.
8 Q. But at the time that you invited
9 her to come to New York, you were still a
10 friend of hers, right?
11 A. Yes.
12 Q. You wouldn't expose her to anything
13 dangerous or hazardous to her well-being,
14 correct?
15 A. Not of my knowledge, I wouldn't.
16 Q. You were asking her to come up and
17 meet with Mr. Rubin, right?
18 A. I guess, I remember [REDACTED] being in
19 New York with me one time.
20 Q. But you arranged for her to fly to
21 New York to meet you to be with you, correct?
22 A. I'm not sure.
23 Q. Go to 11:44 p.m. on 6/28.
24 A. Okay.
25 Q. Jen raises the question, Did your

Page 143

1 [REDACTED] - Confidential
2 friend land? And you respond, Yep.
3 That means yes, right?
4 A. Yeah, I guess so.
5 Q. So she is there at 3:57 in the
6 morning, correct?
7 A. I guess, I can't remember that.
8 Q. At 11:14 a.m., Jen says, And H just
9 told me you are staying until tomorrow. Is
10 this true? You say, Just until this evening,
11 until about 7:00 because I had to change my
12 flight.
13 Do you recall that you stayed over
14 for a while, stayed until 7:00 that night?
15 A. I don't remember that at all. I
16 mean -- I don't remember.
17 Q. What do you remember about her
18 visit to the penthouse?
19 A. I remember her inside the
20 penthouse, we were all drinking wine and then
21 that's it. I was very intoxicated, to almost
22 the point of blacking out, so I don't know.
23 Q. So you don't have any recollection
24 of suffering any injuries that night, right?
25 A. I don't know.

Page 144

1 [REDACTED] - Confidential
2 Q. Was your face injured in any way
3 that night?
4 A. I can't recall.
5 Q. Was your body injured in any way
6 that night?
7 A. I don't think I can remember that.
8 Q. Going to the next day, at 6:30,
9 June 30th at 5:56 p.m., [REDACTED] says, Hey,
10 Jen, When I get my PayPal, is it going to
11 include [REDACTED] portion, as well? And then
12 going on, at 6:30, Jen says, Does [REDACTED] have
13 a PayPal? And you say, [REDACTED] has her own
14 PayPal, it's [REDACTED] I
15 will shoot y'all the PayPals tonight.
16 Does that refresh your recollection
17 that [REDACTED] got paid for the sexual
18 encounters you had at Mr. Rubin's penthouse
19 that night?
20 A. I'm not sure, I don't know, I can't
21 remember this, specific of her being paid.
22 Q. You asked for her to get paid,
23 correct?
24 A. I don't know, I can't remember.
25 Q. Do you deny that you reached out to

Page 145

1 [REDACTED] - Confidential
2 Jen Powers and asked her about getting [REDACTED]
3 [REDACTED] paid, either through your PayPal or
4 her own PayPal?
5 A. I'm not denying, I just can't
6 remember this conversation, this specific
7 exchange.
8 Q. This is a little over two years
9 ago, right?
10 A. Yeah.
11 Q. How many times have you been with
12 [REDACTED] to New York?
13 A. Just this once.
14 Q. And nothing sticks out about it?
15 A. No.
16 Q. So no one forced you to visit Mr.
17 Rubin in June 2016, right?
18 A. No.
19 Q. And no one forced you or coerced
20 you to bring [REDACTED] to New York on that
21 day, right?
22 A. No.
23 Q. No one tricked you or deceived you
24 into coming to New York that day?
25 A. I don't know.

1 [REDACTED] - Confidential
2 Q. You don't know, you've been coming
3 to Mr. Rubin's apartment over and over and
4 over again going back to 2015, to October
5 2015, correct?

6 A. Yeah, I've been there several
7 times.

8 Q. So there was no need to trick you
9 or deceive you to come to visit Mr. Rubin to
10 come have sex with him in New York, right?

11 A. I don't know.

12 Q. You don't know whether you were
13 deceived or -- let me withdraw that question.

14 You don't know whether you were
15 deceived or tricked into coming to New York?

16 A. I'm not sure.

17 Q. You came to New York to have sex
18 with Mr. Rubin for \$5,000, wasn't that the
19 reason you were coming here?

20 A. Yes.

21 Q. There is no trickery involved,
22 correct?

23 A. I didn't say there was. I just
24 don't know exactly all the details and these
25 dates.

1 [REDACTED] - Confidential
2 Q. Your lawyers said, on your behalf,
3 that you were deceived into coming into New
4 York to meet with Mr. Rubin.

5 Are you aware of that, in the
6 complaint you meticulously reviewed?

7 A. Yes.

8 Q. And they also said you were coerced
9 into coming to New York to meet with Mr.
10 Rubin.

11 Do you remember that from the
12 complaint?

13 A. I don't know.

14 Q. In fact, you were never coerced or
15 deceived into coming to New York by Mr. Rubin
16 or anybody else when you were going to see
17 Mr. Rubin, right?

18 A. I don't know what you are talking
19 about.

20 Q. I'm asking about the complaint.
21 The complaint says that you were deceived and
22 tricked to come to New York to meet Mr. Rubin
23 and I'm asking you, isn't it a fact that you
24 were not tricked or deceived or coerced or
25 forced or threatened to come to New York to

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED] (record read.)

7 A. What I wrote in my complaint is
8 what happened, is what happened.

9 Q. What does the complaint say?

10 A. I was tricked, I was told one
11 thing, other things happened, it's all true.

12 Q. What were you told? You already
13 testified that [REDACTED] told you that
14 you would come to New York for rough sex with
15 Mr. Rubin for \$5,000. You testified to that
16 earlier today, correct?

17 A. Yes.

18 Q. Now, on the occasion that you were
19 with [REDACTED], were you injured in any
20 way?

21 A. I can't remember if it was that
22 specific date.

23 (Speight Exhibit 28, document,
24 marked for identification.)

25 Q. August 4, 2016, let me show you the

1 [REDACTED] - Confidential
2 concierge document and the airline document.

3 (Speight Exhibit 29, Delta Airlines
4 document, marked for identification.)

5 (Speight Exhibit 30, concierge desk
6 document, marked for identification.)

7 (Speight Exhibit 31, PayPal
8 document, marked for identification.)

9 Q. I will try to move through this
10 quickly.

11 The Delta document shows a trip to
12 New York on August 2nd from Atlanta and
13 return flight on August 3rd from LaGuardia.

14 Concierge document says that you
15 will be arriving on August 2nd at about 4:00
16 and there is a PayPal document dated August
17 6th for \$5,000 from Jen Powers arranging for
18 such a payment to you.

19 Does that refresh your recollection
20 that you met with Mr. Rubin on the 2nd or 3rd
21 of August 2016?

22 A. Yeah, I don't remember specifically
23 the dates, but this does show I was paid on
24 that day.

25 Q. You were paid \$5,000, which was the

1 [REDACTED] - Confidential
2 going rate for a successful sexual encounter
3 with Mr. Rubin, correct?
4 A. Yes.
5 Q. Going to the Jen Powers text, which
6 I haven't given to you yet.
7 (Speight Exhibit 32, text message
8 excerpt, marked for identification.)
9 Q. Directing your attention to the
10 fourth line on the page 10 of the Jen Powers
11 text documents, 8/2, at 10:17 a.m., Jen says,
12 Have a good flight. And at 2:39, [REDACTED]
13 says, Just landed, I need to take a shower
14 and get ready at the condo, is that okay?
15 Then at 2:40, you say, It won't take long.
16 And Jen responds, Of course, I don't think
17 Howard will be over until 6:30 or 7:00, maybe
18 closer to 8:00. The point is, you have time.
19 Concierge is expecting you.
20 Does that refresh your recollection
21 that you did, in fact, arrive at the condo in
22 the afternoon of August 2, 2016?
23 A. I don't remember the specific time
24 or date, but I'm reading this here, what it
25 says.

1 [REDACTED] - Confidential
2 Q. Do you remember that there was an
3 occasion when you were supposed to meet Mr.
4 Rubin on a particular day and then, going to
5 8:05 p.m. Jen says, Yes, but the plans are
6 changing. Not too sure what is going to
7 happen yet. It's not your fault. Hey. And
8 then, at 11:07, she says, Howie will see you
9 at 4:00 tomorrow. I will change your
10 departing flight now. And you respond, Okay,
11 smiley face. Thank you, Jen.
12 Do you recall that?
13 A. I don't remember this conversation.
14 Q. Do you recall that there was an
15 occasion which you came to see Mr. Rubin and
16 you arrived in the afternoon and you weren't
17 informed until sometime later in the evening
18 that he wouldn't be seeing you that night, he
19 would be seeing you the next day?
20 A. I don't remember.
21 Q. Directing your attention to 11:57,
22 Jen says, XO.
23 Do you understand that to mean kiss
24 and hugs?
25 A. Yes.

1 [REDACTED] - Confidential
2 Q. Good night. Sorry the plans
3 changed today.
4 That doesn't refresh your
5 recollection that you spent the night there
6 by yourself?
7 A. No, I don't remember this.
8 Q. Do you remember going out that
9 night anywhere in the City by yourself?
10 A. No.
11 Q. Did you have any friends in the
12 City you could have called and hung out and
13 partied or something?
14 A. No.
15 Q. Directing your attention to 10:19
16 on the 3rd of August, the next morning. Jen
17 says she finally spoke to someone at Delta
18 who allowed her to change your flight. You
19 will fly out at noon tomorrow.
20 Do you recall spending an extra day
21 in New York because Mr. Rubin had been
22 unavailable the previous day?
23 A. I don't remember that.
24 Q. Do you recall that at 12:38, that
25 afternoon, you say to Jen, Haven't heard from

1 [REDACTED] - Confidential
2 Howie all day. All set for 4:00? And she
3 says, Absolutely. And at 12:36, you say, I
4 think I left something in the condo. Do you
5 know what time the mask will be by today?
6 Then she says, Maid. And you talk about the
7 maid.
8 Do you recall this?
9 A. I don't remember this.
10 Q. Do you recall that Mr. Rubin did
11 arrive that day and you did have sex with him
12 that afternoon on August 4th?
13 A. I'm not sure.
14 Q. Going down to the last three lines
15 on page 10, 9:15 on August 6th, you say, Hey,
16 Jen, did I receive PayPal? And she says,
17 Hey, there, not yet, but let me confirm and
18 send you. Did you receive the PayPal, do you
19 recall?
20 You got the PayPal because I showed
21 you the exhibit.
22 Do you recall getting the PayPal?
23 A. I don't remember.
24 Q. The record reflects in early
25 August, you got \$5,000 from Mr. Rubin through

1 [REDACTED] - Confidential
2 Jen Powers, correct?
3 A. I did read that in the paper, yeah.
4 Q. Do you recall suffering any
5 injuries on that occasion?
6 A. Again, I don't know the specific
7 dates.
8 Q. Do you recall suffering any
9 psychological harm on that date on August 4,
10 2016?
11 A. I'm not sure.
12 Q. Of course, you weren't forced or
13 coerced or threatened to come to New York on
14 that occasion, were you?
15 A. I don't know.
16 Q. When were you ever threatened to
17 come to New York?
18 A. I don't know.
19 Q. Isn't it a fact that no one ever
20 threatened you into coming to New York?
21 A. No.
22 Q. No, it's not a fact?
23 A. That's not what I said.
24 Q. Are you saying you were not
25 threatened ever to come to New York by Mr.

1 [REDACTED] - Confidential
2 Rubin or anyone acting on his behalf?
3 A. Yes, I have definitely been
4 threatened about coming to New York.
5 Q. Who threatened you?
6 A. [REDACTED] used to threaten me
7 about it, telling me, like I have to owe her
8 money if I don't go. It was this huge
9 twisted scheme.
10 Q. She had nothing to do with Mr.
11 Rubin.
12 A. Yes, she did.
13 Q. What did she have to do with Mr.
14 Rubin?
15 A. She is the one who introduced me to
16 him.
17 Q. So what happened after that, you
18 stopped talking to her, right?
19 A. At one point, I did. I can't
20 remember when I stopped talking to her.
21 Q. Did Mr. Rubin ever threaten you to
22 come to New York?
23 A. I can't remember right now.
24 Q. Did he ever coerce you in any way
25 to make you come to New York?

1 [REDACTED] - Confidential
2 A. I can't remember.
3 Q. Did he ever trick you or deceive
4 you to get you to come to New York?
5 A. I can't remember.
6 Q. September 27, 2016.
7 (Speight Exhibit 33, document,
8 marked for identification.)
9 (Speight Exhibit 34, document,
10 marked for identification.)
11 (Speight Exhibit 35, document,
12 marked for identification.)
13 Q. Rather than go through a lot of
14 questions on these documents, I will direct
15 your attention to the Delta document that
16 reflects a roundtrip Atlanta to New York and
17 back Tuesday, September 27th to Wednesday,
18 September 28, 2016. A concierge record
19 showing that you were expected to arrive on
20 the 27th of September and a PayPal document
21 reflecting that you received \$5,000 on
22 September 28.
23 Do those documents refresh your
24 recollection that you visited with Mr. Rubin
25 for a sexual encounter on September 27, 2016?

1 [REDACTED] - Confidential
2 A. Yeah, I see my flight info and the
3 payment. I don't remember the specific
4 encounter.
5 Q. So let's go to the text document.
6 (Speight Exhibit 36, text message
7 excerpt, marked for identification.)
8 Q. Five lines from the top on the 26th
9 of September [REDACTED] says, Hey Jen, Howie
10 told me to text you to book a flight for
11 tomorrow, smile. He told me he would see me
12 from 7:00 to midnight. And then Jen says,
13 Awesome, I will get you hooked up in a bit.
14 You say, Thanks so much, smiley face.
15 Do you recall you made contact with
16 Jen to get you a flight to New York for the
17 next day?
18 A. I don't remember this specific
19 conversation.
20 Q. Going down to 9/27, at 11:36 a.m.,
21 you say, Thank you, smiley face -- thank you,
22 and it's a face.
23 Do you know what that face means?
24 A. I don't know.
25 Q. Then at 6:46 p.m. you text Jen and

<p style="text-align: right;">Page 158</p> <p>1 [REDACTED] - Confidential</p> <p>2 say, There is water leaking out of the</p> <p>3 refrigerator. I'm getting it up. I'm not</p> <p>4 sure what's wrong with it. Oh, my God, the</p> <p>5 doors are shut all the way. You say, I</p> <p>6 opened both doors and shut them, I wiped up</p> <p>7 the floor and only a little bit more water</p> <p>8 came down since I texted you last. I cleaned</p> <p>9 it up.</p> <p>10 Do you remember being in Mr.</p> <p>11 Rubin's apartment and having a flood because</p> <p>12 of a problem with the freezer or</p> <p>13 refrigerator?</p> <p>14 A. I do not remember that.</p> <p>15 Q. Then it goes on and at 9/27/ 16, at</p> <p>16 7:48 p.m., it says, I am.</p> <p>17 And then the next entry is for the</p> <p>18 next morning, at 9/28, at 10:56 a.m. and Jen</p> <p>19 says, Hey, [REDACTED] I hope you all had a good</p> <p>20 night. And you respond, at the same time,</p> <p>21 [REDACTED] We had a great time. Howie got</p> <p>22 me some cute stuff for my birthday. And Jen</p> <p>23 says, He is so sweet, he is thoughtful like</p> <p>24 that?</p> <p>25 Do you recall him buying some cute</p>	<p style="text-align: right;">Page 160</p> <p>1 [REDACTED] - Confidential</p> <p>2 at these papers.</p> <p>3 Q. Do you think the PayPal record is</p> <p>4 incorrect?</p> <p>5 A. No, I didn't say that. I just</p> <p>6 don't remember.</p> <p>7 Q. How much money did Mr. Rubin pay</p> <p>8 you during the period of time you knew him?</p> <p>9 A. I don't know.</p> <p>10 Q. Thousands of dollars, correct?</p> <p>11 A. Yeah.</p> <p>12 Q. Certainly more than \$50,000</p> <p>13 correct?</p> <p>14 A. I don't know, I didn't...</p> <p>15 Q. You didn't, what?</p> <p>16 A. I didn't count.</p> <p>17 Q. But on that occasion when you</p> <p>18 accepted the \$5,000 PayPal payment, no one</p> <p>19 had forced you to go New York to visit with</p> <p>20 Mr. Rubin, right?</p> <p>21 A. I don't think so, I can't remember.</p> <p>22 Q. You said you had a great time with</p> <p>23 Mr. Rubin, right?</p> <p>24 A. Yeah, I'm reading it right here. I</p> <p>25 don't remember this conversation.</p>
<p style="text-align: right;">Page 159</p> <p>1 [REDACTED] - Confidential</p> <p>2 stuff for your birthday?</p> <p>3 A. I remember he bought me a necklace.</p> <p>4 Q. What kind of necklace?</p> <p>5 A. I'm not sure, it was some kind of</p> <p>6 silver, something like that.</p> <p>7 Q. Was it expensive?</p> <p>8 A. I have no idea the price.</p> <p>9 Q. Do you still wear it?</p> <p>10 A. No.</p> <p>11 Q. What did you do with it?</p> <p>12 A. Threw it away.</p> <p>13 Q. Did you get it priced before you</p> <p>14 threw it away?</p> <p>15 A. No.</p> <p>16 Q. Didn't you think there was a chance</p> <p>17 it was really valuable?</p> <p>18 A. It could have been.</p> <p>19 Q. Isn't it a fact that you had sex</p> <p>20 for \$5,000 with Mr. Rubin on that occasion,</p> <p>21 on the 27th and 28th of September 2016?</p> <p>22 A. I can't remember specifically</p> <p>23 having sex with him that day.</p> <p>24 Q. But you got the \$5,000, right?</p> <p>25 A. I can't remember. I'm just looking</p>	<p style="text-align: right;">Page 161</p> <p>1 [REDACTED] - Confidential</p> <p>2 Q. Do you deny that you had a great</p> <p>3 time with Mr. Rubin on that occasion?</p> <p>4 A. I don't know, I can't remember</p> <p>5 this.</p> <p>6 Q. You don't remember him causing any</p> <p>7 injury to you, do you?</p> <p>8 A. I can't remember on this day.</p> <p>9 Q. Well, is there anything that you</p> <p>10 recall on that date that gave you reason to</p> <p>11 sue Mr. Rubin?</p> <p>12 A. I don't know, I can't remember if</p> <p>13 it was this day.</p> <p>14 Q. By the way, do you recall meeting</p> <p>15 with Mr. Rubin in Atlanta at any time?</p> <p>16 A. Yes.</p> <p>17 Q. Can you tell us what you remember?</p> <p>18 A. Going to a basketball game.</p> <p>19 Q. Where was the game?</p> <p>20 A. In Atlanta.</p> <p>21 Q. The Atlanta Hawks were playing?</p> <p>22 A. Yeah.</p> <p>23 Q. Who else was present when you went</p> <p>24 to the game?</p> <p>25 A. Some other girls, I don't remember</p>

1 [REDACTED] - Confidential
2 sure what girls were there.
3 Q. How many girls went with you?
4 A. Again, I don't know, I don't
5 remember, I don't know.
6 (Speight Exhibit 37, Delta Airlines
7 document, marked for identification.)
8 (Speight Exhibit 38, concierge desk
9 document, marked for identification.)
10 (Speight Exhibit 39, PayPal
11 document, marked for identification.)
12 Q. So the Delta document shows a
13 roundtrip, November 21st, from Atlanta to New
14 York and return, November 22nd Newark to
15 Atlanta, then there is a concierge document
16 that says, [REDACTED] and something is
17 blacked out, Will be arriving today. Please
18 give them a key when they arrive. Thank you
19 so much, Jennifer. That's for November 21st.
20 Then there is a PayPal document that shows
21 you got \$5,000 from Jen Powers on the
22 Thursday, the 24th of November 2016.
23 Does this refresh your recollection
24 that you had a sexual encounter with Mr.
25 Rubin on the 21st of November?

1 [REDACTED] - Confidential
2 A. I don't remember the sexual
3 encounter on these days, but I'm just looking
4 and reading these papers. The Delta
5 information, I don't remember.
6 Q. Does the receipt of the \$5,000 from
7 PayPal lead you to believe that you did have
8 a sexual encounter with him?
9 A. Yeah.
10 Q. Going to the text message document.
11 (Speight Exhibit 40, text message
12 excerpt, marked for identification.)
13 Q. On page 12, the morning of November
14 20, 2016, [REDACTED] says, Howie asked me if
15 I could fly up this Monday, smiley face. Can
16 you help me with my flight? Jen says, Hey
17 there. I need to get the good word from H
18 before I do anything, but I will be back in
19 touch.
20 Do you recall Jen Powers saying
21 that to you?
22 A. I don't remember our conversation
23 here.
24 Q. Going to 9:27 p.m., Jen says, I
25 just emailed you the Delta itinerary, but

1 [REDACTED] - Confidential
2 here it is so you have it in two places.
3 There is an image. Going over to the next
4 page, at 10:06 a.m., you say that you are
5 arriving at 1:24, smiley face, boarding now.
6 And then at 2:17, you arrived at the condo.
7 Does that reflect that you arrived
8 at the condo on the November 21st of 2016?
9 A. I don't remember this conversation.
10 Q. So going down to 5:36 p.m., on the
11 21st, same day, Jen says, What's up, Mamma, H
12 is on his way there. You give a smiley face.
13 What does that indicate to you when
14 you put the smiley face on there?
15 A. I'm not sure what I meant by that.
16 Q. It usually means you are happy,
17 isn't that what a smiley face means?
18 A. Usually, some people.
19 Q. Going back just above the middle of
20 the page, the 2:17 p.m. You arrived at the
21 condo at 2:17, isn't that what it says?
22 A. That's what it says right here.
23 Q. Going down to 5:36 p.m., it says,
24 Howie is on his way.
25 Would that lead you to believe you

1 [REDACTED] - Confidential
2 were alone in the condo for more than three
3 hours?
4 A. Maybe, I can't remember exactly.
5 Q. Do you remember being by yourself
6 and drinking?
7 A. That happened several times. I
8 don't know specifically the dates.
9 Q. That you were alone in the condo?
10 A. Yeah, I don't remember.
11 Q. Was there something that compelled
12 you to drink when you were alone in the
13 condo?
14 A. Either Howie telling me to or I
15 don't know, I guess I just drink something.
16 Q. You were by yourself in the
17 condominium, correct?
18 A. I guess.
19 Q. So Mr. Rubin couldn't force you to
20 drink any alcohol when you were by yourself
21 in the condo, right?
22 A. No.
23 Q. So Jen says at 5:36, H is on his
24 way there. At 5:37, you say smiley face.
25 And the next entry is for the next day,

Page 170

1 [REDACTED] - Confidential
2 11/22, at 2:32 in the morning and [REDACTED]
3 says to Jen, Howie was happy tonight, right?
4 I was very drunk when he came over.
5 Isn't it a fact that you were drunk
6 before he arrived?
7 A. It's possible, yes.
8 Q. He wasn't forcing you to drink
9 because he wasn't there, right?
10 A. I mean, I'm not saying this
11 specific day.
12 Q. It says, the 21st, and then you say
13 on the 22nd, I was very drunk when he came
14 over?
15 A. I'm not saying he forced me to
16 drink this day.
17 Q. And, in fact, Mr. Rubin was upset,
18 angry when he found you to be intoxicated
19 when he arrived at the condo?
20 A. I don't remember that.
21 Q. Going to page 14, at 9:52 a.m. on
22 the next day, the 23rd, you say, Did Howie
23 give you any word of my PayPal? And then Jen
24 responds, Not completely, by later today for
25 sure.

Page 171

1 [REDACTED] - Confidential
2 And so you were seeking to get paid
3 for the time that you had spent with Mr.
4 Rubin on the 21st into the 22nd, right?
5 A. Probably, I can't remember.
6 Q. If you didn't get paid right away,
7 you would call up or send a text to Jen
8 asking for your money, didn't you?
9 A. Possibly.
10 Q. The \$5,000 is important to you?
11 A. Yeah, it made a difference.
12 Q. You weren't making any money in
13 November 2016, were you?
14 A. I can't remember what I was doing
15 for work at that time.
16 Q. It's only two years ago, not even
17 two years ago, it's 23 months ago.
18 A. I can't remember.
19 Q. You can't remember what you were
20 doing 23 months ago.
21 Were you [REDACTED]
22 [REDACTED]?
23 A. Possibly.
24 Q. You were [REDACTED]
25 [REDACTED]?

Page 172

1 [REDACTED] - Confidential
2 A. I don't know.
3 Q. Where were you living at that time?
4 A. In my own apartment.
5 Q. You weren't living with your
6 father, [REDACTED], I guess?
7 A. No.
8 Q. On the 24th, at 10:17 a.m., [REDACTED]
9 [REDACTED] to Jen, Do I still get my PayPal? And
10 Jen responds, Oh, my God, yes. Baby has a
11 fever, so just sent.
12 So you got your \$5,000, which is
13 39, Exhibit 39, which you already looked at.
14 So you had sex with Mr. Rubin then
15 on the 21st of November 2016, right?
16 A. I can't remember having sex with
17 him on that exact day.
18 Q. Why else would he pay you \$5,000?
19 A. To have sex with him.
20 Q. He never paid you \$5,000 that exact
21 amount for anything else, other than having
22 sex, correct?
23 A. No.
24 Q. He gave you gifts from time to
25 time, correct?

Page 173

1 [REDACTED] - Confidential
2 A. I only got one gift on my birthday.
3 Q. What about, didn't he send you
4 money occasionally, having nothing to do with
5 whether you visited him or not?
6 A. I think so. I can't exactly
7 remember how much or when.
8 Q. He paid for your trip to the
9 Maldives, right?
10 A. He did pay for that.
11 Q. So on the 21st when you were with
12 him, do you recall you had a rough sexual
13 encounter with him?
14 A. I can't remember the date.
15 Q. Do you remember having -- do you
16 remember having any sexual encounters with
17 him that were not rough?
18 A. Maybe in the beginning, when we
19 first met.
20 Q. But [REDACTED] [REDACTED] told you at the
21 outset that you were to expect rough sex with
22 him, correct?
23 A. Yes, she wasn't specific, she just
24 said rough sex.
25 Q. So you weren't forced or tricked

Page 174

1 [REDACTED] - Confidential
2 into going to the New York in November of
3 2016 to meet with Mr. Rubin, right?

4 A. I don't know, I can't recall.

5 Q. Did he ever force you or trick you
6 to come to New York to have sex with him?

7 A. Yes.

8 Q. He did. What did he do to force
9 you or trick you to have sex with him?

10 A. I can't remember right now.

11 Q. And, in fact, you weren't injured
12 in November 2016 in any way at all by Mr.
13 Rubin, right?

14 A. I actually -- I don't know.

15 Q. You never complained to Jen Powers
16 that he had injured you in any way, right?

17 A. I don't think I complained to her.

18 Q. January 30, 2017.

19 MR. GROSSMAN: Just for the record,
20 this document has like three page 13s
21 and two page 14s. Just in case, I'm
22 assuming they are all the same, so the
23 record has that clear.

24 MS. McCLELLAN: It's the same.

25 (Speight Exhibit 41, Delta Airlines

Page 175

1 [REDACTED] - Confidential
2 document, marked for identification.)
3 (Speight Exhibit 42, concierge desk
4 document, marked for identification.)
5 (Speight Exhibit 43, PayPal

6 document, marked for identification.)
7 Q. So looking at the Delta document,
8 arriving January 30, 2017, leaving for
9 Atlanta January 31, 2017; concierge document
10 saying you would arrive on the 30th of
11 January; and the \$5,000 PayPal document dated
12 January 31st reflecting a payment to you from
13 Jen Powers of \$5,000.

14 Is it fair to say that establishes
15 that you had a sexual encounter with Mr.
16 Rubin on Monday, January 30, 2017?

17 A. Yes, it definitely shows I visited
18 him.

19 Q. And you got paid?

20 A. Yeah.

21 (Speight Exhibit 44, text message
22 excerpt, marked for identification.)

23 Q. So take a look at the Powers text
24 message document, page 15 at -- before we get
25 to the January 27th trip, take a look at the

Page 176

1 [REDACTED] - Confidential
2 third item, December 11, 2016, 5:43 p.m.,
3 [REDACTED] I'm flying home from Dallas. I
4 was in a TV pageant, smiley face. Whenever
5 you have a few minutes, can we talk on the
6 phone.

7 When did you move to Dallas?

8 A. I never moved to Dallas.

9 Q. It says -- I'm sorry, I misread
10 that, I apologize. It says, I'm flying home
11 from Dallas.

12 You were visiting [REDACTED] in Dallas,
13 right?

14 A. I was actually there for a pageant.

15 Q. What does [REDACTED] pageant mean?

16 A. [REDACTED]

17 Q. What kind of pageant was that?

18 A. A swimsuit contest.

19 Q. I thought had you bruises all over
20 your body?

21 A. I did get bruises over my body.

22 Q. But not at that period of time,
23 right?

24 A. No.

25 Q. There was nothing to prevent you

Page 177

1 [REDACTED] - Confidential
2 from appearing in a swimsuit pageant in
3 December 2016, right?
4 A. No, I did go to a pageant.
5 Q. Going down to January 27, 2017,
6 8:21 p.m., Hi, [REDACTED] I just got word you are
7 headed to New York on Monday. Are you able
8 to depart Atlanta Monday, late morning?

9 This reflects Jen Powers was making
10 arrangements for you to fly to New York,
11 right?

12 A. Yes.

13 Q. Going down to January 29th, 3:25
14 p.m., Jen says, Did you get your itinerary?
15 And you respond, Yes, I did. Thank you so
16 much. Then at 3:25, she says, Okay, great.
17 Concierge will be expecting you tomorrow,
18 hugs and kisses. And then the next day, at
19 10:18, you say you boarded the plane, 10:26,
20 awesome. Safe flight. Then there is nothing
21 until 9:55 p.m., Several hours later. And
22 you say, Hey, Jen, what is the WiFi password?
23 And she responds, It's on a paper on the
24 coffee table or on the dresser, a laminated
25 information sheet.

1 [REDACTED] - Confidential
2 And the next day, at 9:49 a.m.,
3 [REDACTED] says, Flying back home. And you
4 then inquire, Did Howie say anything about
5 how it was? And Jen says, He said he had a
6 great time. I'm glad you made your flight.
7 Then [REDACTED] says, Hi, Jen. Has Howie
8 given you the word on my PayPal? She said, I
9 sent it already. Did you not get it? You
10 say, Yes, I just looked at it now, LOL?
11 Isn't it a fact that you had a
12 sexual encounter with Mr. Rubin on that
13 occasion on January 30, 2017?
14 A. Yes.
15 Q. You were very concerned about
16 whether Howie had a good time, correct, at
17 9:50 a.m., you ask Jen, Did Howie say
18 anything about how it was? And Jen responds,
19 Yes, he said he had a great time, right?
20 A. Yeah, it's hard to tell if it was
21 ever a good or a bad thing.
22 Q. You usually get a pretty good
23 indication of the amount of money you got
24 paid?
25 A. I did get paid every time.

1 [REDACTED] - Confidential
2 Q. The time you [REDACTED]
3 [REDACTED], you only got \$1,000, right?
4 A. That's right.
5 Q. When you were with [REDACTED],
6 you only got \$2,500?
7 A. Yeah, I don't remember why it was
8 like that.
9 Q. But on this occasion, you got the
10 full 5,000, right?
11 A. I guess so.
12 Q. Well, you have the document right
13 over there. Counsel has it. Exhibit 43.
14 A. I see the transaction here.
15 Q. So you have no reason to believe
16 that you didn't have sex with him on that
17 occasion, right?
18 A. Yeah, I didn't say I didn't.
19 Q. And, of course, it would be rough
20 sex, right?
21 A. Yes.
22 Q. On that occasion, you didn't have
23 any harm or any injury to your face, right?
24 A. I can't remember if it was this
25 day.

1 [REDACTED] - Confidential
2 Q. How about your breast?
3 A. My breasts were hurt almost every
4 time.
5 Q. But you continued to come back,
6 despite the fact that almost every time, your
7 breasts were hurt?
8 A. I did come back.
9 Q. I guess it didn't hurt that much,
10 right?
11 A. What are you asking me?
12 Q. The hurt that you had on your
13 breasts were not enough, was not severe
14 enough that it prevented you from coming back
15 over and over and over and over again?
16 A. There were times it was very bad.
17 Q. Did you ever stop coming because it
18 was so bad?
19 A. Yes.
20 Q. When was that?
21 A. I can't remember the exact date,
22 but I definitely discontinued seeing him.
23 Q. Is it fair to say the last time you
24 had a sexual encounter with him was the
25 occasion on which you were injured, to the

1 [REDACTED] - Confidential
2 extent that you decided to discontinue your
3 relationship with him, is that what you are
4 saying?
5 A. Yeah, it was so bad, there was no
6 way I could come back.
7 Q. You are sure about that?
8 A. Yeah.
9 Q. But even though you didn't come
10 back, were you still persisting and asking
11 him whether you could come back?
12 A. I don't know.
13 Q. Is it fair to say that you haunted
14 him trying to get back into his good graces
15 and coming back to get your \$5,000?
16 A. No.
17 Q. Well, we have a lot of emails we
18 can go through and see what you had to say to
19 him.
20 A. Okay.
21 MR. GROSSMAN: Can we take a break
22 now?
23 MR. McDONALD: Yes.
24 (Recess taken at 4:47 p.m.)
25 Q. May 24th, directing your attention

1 [REDACTED] - Confidential
2 to that day. We will show you the Delta
3 record, the concierge record and the PayPal
4 record.

5 (Speight Exhibit 45, Delta Airlines
6 document, marked for identification.)

7 (Speight Exhibit 46, concierge desk
8 document, marked for identification.)

9 (Speight Exhibit 47, PayPal
10 document, marked for identification.)

11 Q. So you have in front of you three
12 exhibits pertaining to a visit to Mr. Rubin
13 on May 24, 2017, the Delta record that shows
14 that you flew to -- that you had a ticket
15 from New York -- from Atlanta to New York on
16 May 24th, returning to Atlanta on the 25th;
17 the concierge record that says that you will
18 be arriving on the afternoon of May 24th; and
19 the PayPal record from Friday, the 26th that
20 shows a receipt of a \$5,000 payment from Mr.
21 Rubin paid by Jen Powers on Friday, the 26th.

22 Does that establish, to your
23 satisfaction, that you had a sexual encounter
24 with Mr. Rubin sometime just before Friday,
25 May 26th, for which you were paid \$5,000?

1 [REDACTED] - Confidential

2 A. Yes, I think so.

3 Q. Going to the text message.

4 (Speight Exhibit 48, text message
5 excerpt, marked for identification.)

6 Q. On page 16, on the Jen Powers text
7 message, which is Exhibit 48, going down a
8 little more than two-thirds of the way down
9 the page, on May 19, 2017 at 10:36, Jen says,
10 Hi, schedule for next week. I will be
11 booking you to come in Wednesday and depart
12 on Thursday. You said, Yay, thank you very
13 much, smiley face and a heart.

14 What does the presence of a heart
15 signify to you?

16 A. I was just sending emojis.

17 Q. The smiley face, I think everyone
18 understands, happiness, but what is the
19 significance of the heart here?

20 A. I'm not sure what I meant.

21 Q. Isn't it you were expressing your
22 affection to Ms. Powers and Mr. Rubin?

23 A. I'm not sure.

24 Q. At 7:21 p.m. on the 22nd of May,
25 [REDACTED] Hey, Jen, everything still on for

1 [REDACTED] - Confidential

2 Wednesday? She says, Yes, Ma'am.

3 Is it fair to say that you were
4 reaching out to Jen Powers asking whether
5 everything is still on for Wednesday shows
6 that you were eager to come to New York to
7 meet with Mr. Rubin?

8 A. I'm reading the text here. I might
9 have been, I'm not sure.

10 Q. You weren't resisting, that's for
11 sure, right?

12 A. I don't think so.

13 Q. 5/24, [REDACTED] says on the third
14 line down, I'm arriving at 12:43 now. And
15 Jen says, Cool, keep me posted. And then
16 going to 1:53 p.m.. H will see you around
17 3:00, 3:30. [REDACTED] I'm not getting
18 there until like almost 3:00. And 2:17, you
19 say, Took so long today, frowny face. And
20 then 3:32 p.m. you say, I'm here and ready.

21 The next entry is for the same day,
22 5/24 at 9:22 p.m. and it's [REDACTED] Hey
23 there, what is the WiFi password? Is it the
24 name [REDACTED]? And 9:24, It's on a sheet in
25 the master bedroom, on a table in the living

1 [REDACTED] - Confidential

2 room. The next entry is 9:52 and it says,
3 Hey, there. Can y'all send PayPal today?
4 Hopefully, yes.

5 Does that reflect that along with
6 the \$5,000 payment from PayPal, that you had
7 a sexual encounter with Mr. Rubin on 5/24,
8 sometime before 9:22 p.m.?

9 A. Possibly, I can't remember.

10 Q. But you weren't complaining to Jen
11 Powers or anybody else about any injuries
12 that you got on that occasion, did you?

13 A. I don't know what I said to other
14 people.

15 Q. Who were some of the other people
16 you might have said something to?

17 A. I can't remember right now.

18 Q. You haven't had a chance to think
19 about this case over the last, almost year
20 now?

21 A. I've had some time to think about
22 it.

23 Q. But there is no reason to believe
24 that Mr. Rubin forced you in any way to have
25 sex with him on that occasion, is there?

Page 186

Page 188

1 [REDACTED] - Confidential
2 A. I don't know on this occasion.
3 Q. When you went up and met with him
4 in May of 2017, you knew exactly what to
5 expect, correct?
6 A. Somewhat.
7 Q. You had been with him on 10 or 11
8 previous occasions, right?
9 A. Yes.
10 Q. So you knew what he was interested
11 in and what you were going to be doing with
12 him in order to earn \$5,000, correct?
13 A. For the most part, yeah.
14 Q. And there is no reason to believe
15 that on that occasion, you had any injuries
16 to your face, is there?
17 A. I don't know on this specific day
18 or occasion I saw him.
19 Q. I apologize for interrupting.
20 A. I'm just not sure on this specific
21 occasion what injuries.
22 Q. Here we are on -- we are in May of
23 2017, and you haven't told us about any
24 specific occasion in which you were ever
25 injured by Mr. Rubin, isn't that a fact?

1 [REDACTED] - Confidential
2 [REDACTED]

Page 187

Page 189

1 [REDACTED] - Confidential
2 [REDACTED]

1 [REDACTED] - Confidential
2 [REDACTED]

Page 190

Page 192

1 [REDACTED] - Confidential
2 Q. By whom were you treated for the
3 injuries that you supposedly suffered at the
4 hand of Mr. Rubin?
5 A. Dr. [REDACTED] for one and Ms. [REDACTED]
6 Q. So in order to save time, I'm sure
7 we will be taking a break. During the break,
8 I have records here that we obtained from Dr.
9 [REDACTED] from the plastic surgeon practice and
10 I'm going to ask you if you will take a look
11 at them during the break and if there is
12 something in here that establishes that you
13 were treated by anybody at that practice for
14 any injuries that you sustained from Mr.
15 Rubin, I would appreciate if you would show
16 it to us.
17 A. Okay.
18 Q. How about [REDACTED], were
19 you treated there for anything that was done
20 by Mr. Rubin?
21 A. No.
22 Q. What's the name of the other
23 doctors who treated you?
24 A. Dr. [REDACTED], Dr. [REDACTED].
25 Q. What did she treat you for?

Page 191

1 [REDACTED] - Confidential
2 A. Dr. [REDACTED]?
3 Q. Other than [REDACTED]
4 [REDACTED] and maybe some Botox, what did
5 she do for you?
6 A. She helped, one of the fillers in
7 my cheeks were lodged out and it actually had
8 a cut and caused an infection on my face. It
9 was there for over the year.
10 Q. That wasn't the spider bite that
11 you told them about?
12 A. I never told them I was abused.
13 Q. You said you had a spider bite,
14 correct?
15 A. Yeah.
16 Q. Why couldn't you say you bumped
17 into something?
18 A. I told her I wasn't sure what it
19 was. I think I said it might be a spider
20 bite, and she said, well, if you are not sure
21 and we don't know, we will treat it.
22 Q. We are all ears if you come back
23 and you show us in those records where you
24 were seeking treatment by any doctor.
25 Did you ever go to a psychologist

1 [REDACTED] - Confidential
2 or a psychiatrist for anything Mr. Rubin did
3 to you?
4 A. I talked to one woman over the
5 phone. Her name was [REDACTED]. I can't
6 remember her last name right now.
7 Q. It must have been pretty serious.
8 Was it a psychologist or a
9 psychiatrist?
10 A. I'm not sure if she prescribed
11 medication or not.
12 Q. It was so serious you had to call
13 her on the telephone?
14 A. Yeah.
15 Q. You didn't bother to go in and
16 visit her?
17 A. I felt comfortable, more
18 comfortable talking on the phone.
19 Q. So that psychological damage that
20 you suffered because of what Mr. Rubin did to
21 you, how much do you think that's worth in
22 compensation for you in this lawsuit?
23 A. I'm not sure right now.
24 Q. Did you have any medical fees that
25 were resulting from that phone call you made

Page 193

1 [REDACTED] - Confidential
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 194

Page 196

1 [REDACTED] - Confidential

1 [REDACTED] - Confidential

2 Q. Another [REDACTED] pageant?

3 A. Yes.

4 Q. How would you be attired during the
5 pageant?

6 A. We wore a swimsuit.

7 Q. A bikini swimsuit?

8 A. Yes.

9 Q. So there were no injuries to your
10 body at that time in March of 2017 that would
11 prevent you from appearing in a bikini in a
12 beauty pageant in [REDACTED], right?

13 A. I don't think at that time.

14 Q. When did you have bruises that
15 would prevent you from appearing in beauty
16 pageants or [REDACTED] or
17 some other [REDACTED]?

18 A. I'm not sure right now.

19 O. July 25, 2017.

(Speight Exhibit 49, Delta Airlines document, marked for identification.)

22 (Speight Exhibit 50, concierge desk
23 document, marked for identification.)

24 (Speight Exhibit 51, PayPal

25 document, marked for identification.)

Page 195

Page 197

1 [REDACTED] - Confidential

1 [REDACTED] - Confidential

Page 200

1 [REDACTED] - Confidential

2 A. I don't know.
3 Q. Did you go with [REDACTED]?
4 A. Yeah.
5 Q. You didn't tell Mr. Rubin you were
6 going with [REDACTED], did you?
7 A. I don't think so.
8 Q. Then Mr. Rubin says, when you said,
9 Now, the fun begins, he says, Oh, yes. Where
10 are my pics? And you said, I will send them,
11 I have some good ones.
12 Are these pictures of you in
13 seductive poses?
14 A. Yeah. My name is misspelled on all
15 of this.
16 Q. Does that lead you to believe that
17 this conversation did not happen between you
18 and Mr. Rubin?
19 A. I'm not sure.
20 Q. Going down to 7/23/17, 10:22 p.m.,
21 Mr. Rubin says, Come to New York, Tuesday,
22 question mark? And you say, Yes, with a
23 smiley face. And he says, I will have Jen
24 set it up. You say, Okay, with a heart,
25 correct?

Page 201

1 [REDACTED] - Confidential

2 Is that, again, I will ask you, was
3 that a show of affection for Mr. Rubin?
4 A. I have no idea.
5 Q. You don't have any understanding
6 what the emoji heart signifies?
7 A. No, I don't remember texting that.
8 Q. Regardless of whether you remember
9 texting it or not, the heart appears there.
10 What do you understand the heart
11 emoji to signify?
12 A. I guess it could mean multiple
13 things to different people.
14 Q. It certainly doesn't mean stop
15 beating me up, correct?
16 A. I don't know.
17 Q. The heart usually means I love you,
18 doesn't it?
19 A. I guess.
20 Q. Then at 2:17 p.m., on the 24th,
21 Howard Rubin says, Confirm for tomorrow? You
22 say, Yes, can't wait, again, the heart.
23 You were looking forward to it,
24 correct?
25 A. I'm not sure about this

Page 202

Page 204

1 [REDACTED] - Confidential
2 conversation.

3 Q. Do you remember him [REDACTED]
4 [REDACTED] in response to your
5 question, do you want me to bring anything
6 specific?

7 A. I don't remember.

8 [REDACTED]
9 [REDACTED]
10 Q. This was just a little more than a
11 year ago.

12 A. I'm sorry, I don't remember.

13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 Q. So going over to the next page,
22 it's HR 000436 and 7/25/17 at 1:10 p.m. You
23 say, Landed just a little behind. And then
24 at 1:16, you say, In route now. And at 1:21,
25 Mr. Rubin says, No worries, I will be over

1 [REDACTED] - Confidential

2 [REDACTED] And you said, at 12:30, Do you
3 love me? And then you say, I'm not taking
4 pills.

5 What do you mean by that?

6 A. There were drugs involved. When I
7 saw him, he would give me pills occasionally.
8 I don't know what they were.

9 Q. You took them?

10 A. I did take the pills.

11 Q. You said, I'm not talking pills,
12 and by that, you meant you're not taking
13 pills anymore, correct?

14 A. No, I'm not sure what I meant
15 there. Probably because I would not remember
16 anything about that, it would be, like,
17 really out of control.

18 Q. What would be out of control?

19 A. It was just, like, I was on pills,
20 it wasn't, like, being normal.

21 Q. Mr. Rubin says, [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

24 Do you recall him saying that?

25 A. I think so.

Page 203

Page 205

1 [REDACTED] - Confidential
2 around 4:00, 4:30.

3 Does that refresh your recollection
4 that you came to see him on July 25, 2017?

5 A. I mean, I'm reading it here, I
6 don't know.

7 Q. Then at 4:24 p.m., Mr. Rubin says,
8 On the way. And you respond, Want me to do
9 anything as you walk in? I have wine open.
10 And Mr. Rubin says at 4:25, Let's talk. A
11 bit curious to hear about the Maldives. And
12 you said, Okay.

13 Do you recall that?

14 A. I think I remember him asking
15 something about the Maldives.

16 Q. Did you tell him [REDACTED] was with
17 you?

18 A. No.

19 Q. Why is that?

20 A. I don't know.

21 Q. That's at 4:25 p.m. and the next
22 entry is at 7/26, the next day, at 18 minutes
23 past midnight, 12:18 a.m. Howard Rubin says,
24 [REDACTED]
25 [REDACTED]

1 [REDACTED] - Confidential

2 Q. He is not hiding anything about
3 [REDACTED] the last time he
4 was with you, right?

5 A. It doesn't look like it.

6 Q. He is being upfront about the fact
7 that you had a relationship which involved
8 rough sex, right?

9 A. I think so.

10 Q. Mr. Rubin says, [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

12 Do you recall him saying that to
13 you?

14 A. I don't really remember this
15 conversation I had with him.

16 Q. But you see he is not running away
17 from saying that [REDACTED]
18 right?

19 A. Right here, I can see what he is
20 saying.

21 Q. He says, [REDACTED]
22 [REDACTED] And you
23 don't respond, yeah, Howie, that was terrible
24 when you [REDACTED], did you say
25 anything like that?

1 [REDACTED] - Confidential
2 A. I don't know. This line of
3 conversation here seems weird. I don't
4 completely understand it, how I remember this
5 conversation.
6 Q. This happened the next morning,
7 right, this was not that evening, this was --
8 actually, it was the next afternoon, it was
9 12:36 a.m. and on the 26th and when he says,
10 [REDACTED]
11 [REDACTED], you say to him, My face is
12 fine, whatever. And Howie Rubin says, Okay.
13 That's what you said to him, right,
14 that your face was fine?
15 A. I don't know. I'm just reading
16 this right here. Like I said, I don't --
17 Q. You didn't complain to him about
18 any problems with your face when he told you
19 [REDACTED]
20 [REDACTED] you said it was fine?
21 A. Not right here, it doesn't look
22 like it.
23 Q. You want to read the next thing you
24 said to him? Do you want to read it out
25 loud?

1 [REDACTED] - Confidential
2 A. No.
3 Q. I will read it for you then. [REDACTED]
4 [REDACTED]
5 Is that what you said to him?
6 A. I'm not sure what I said to him.
7 Q. You could have said that?
8 A. I don't know.
9 Q. Is that the way you talk?
10 A. If I was given pills and not who I
11 was, I don't know, but this is all very
12 confusing.
13 Q. Then Howie says to you, Sleep well,
14 [REDACTED] And then you say, I don't need pills,
15 at 12:36 a.m.
16 What kind of pills were you talking
17 about, pain pills?
18 A. I don't know what these pills are.
19 Q. Then at 12:37, Howard Rubin says, I
20 don't know what happened, nice dinner,
21 though. And you say, I know what happened,
22 the pills.
23 Mr. Rubin didn't force you to take
24 the pills, did he?
25 A. I'm not sure.

1 [REDACTED] - Confidential
2 Q. Then Mr. Rubin goes on and says --
3 you say, I'm duck sober tipsy.
4 Do you know what that meant?
5 A. I don't know.
6 Q. Then he says, Painkillers
7 supposedly? And you say, Yes. And then she
8 says, I don't know need those. Then he says,
9 Okay.
10 Isn't it a fact that he said
11 painkillers, and you said, I don't need
12 those, doesn't that mean you are not having
13 any pain?
14 A. I don't know what this means.
15 Q. It goes on to say, at 12:40, Howard
16 Rubin, Something strange tonight. And you
17 say, I wish you fucked me before dinner, I
18 don't know why you didn't. And then you say,
19 I can't get fucked up -- I can't get that
20 fucked up. I'm here to be with you.
21 So you are blaming yourself for
22 getting fucked up, isn't that right?
23 A. I don't think so, I didn't see that
24 as that. I don't even understand what
25 exactly I meant right here.

1 [REDACTED] - Confidential
2 Q. Then you say, I can't get that
3 fucked up, I'm here to be with you, tell me
4 why I didn't, and then you say, you, and
5 there are four stars.
6 What does that mean?
7 A. I have no idea.
8 Q. He says, Night, Babes, at 12:48 and
9 at 1:06, you say to him, Do you still love
10 me? And he says, Of course.
11 So you weren't complaining to him
12 about any injury that you sustained at that
13 time to your face, correct?
14 A. I mean, right here, it doesn't say
15 I'm complaining.
16 Q. You are asking whether he loves
17 you, right?
18 A. I'm not sure.
19 Q. But you wanted to continue your
20 relationship with him, right?
21 A. I can't remember this day.
22 Q. Let's go to the next page.
23 MR. GROSSMAN: Can we take a break
24 real quick?
25 (Recess.)

Page 286

Page 288

1 - Confidential

1 [REDACTED] - Confidential

2 Q. Did you tell her that you had any
3 questions?

4 A. I don't remember.

5 Q. Did you ask her to explain any part
6 of this to you?

7 A. I don't remember that.

8 Q. Do you know if you understood what
9 you were signing?

10 A. I really don't think I did. I have
11 no clue.

12 Q. But you knew it was an NDA, right?
13 We established that with Mr. McDonald when he
14 showed you those text messages you sent in
15 2018?

16 A. Yeah, I was aware of an NDA.

17 Q. Signing this document didn't cause
18 you any injury, did it, you just signed a
19 document, right?

20 A. I don't know.

21 Q. Now, isn't it true that you never
22 told Ms. Powers any of these allegations you
23 made against Mr. Rubin?

24 MR. GROSSMAN: Objection, vague.

25 Q. Isn't it true you never told Ms.

Page 287

Page 289

1 [REDACTED] - Confidential

Q. That you were intoxicated, she never asked, right, but you never told her either, isn't that right?

A. I didn't know I was supposed to tell her.

Q. And she gave you this document and asked you to sign it, correct?

A. Yeah, she gave me a document.

Q. She didn't force you to sign it?

A. No.

Q. And she asked you to initial each paragraph, right?

A. Yes.

Q. And she asked you to read each paragraph, right?

A. It was pretty quick. We didn't go over it very...

Q. You could have gone over it in more detail if you wanted to?

A. Maybe.

Q. And she asked you if you had any questions, right, or if you understood everything?

A. I don't remember.

1 [REDACTED] - Confidential

MAGNA 
LEGAL SERVICES

1 [REDACTED] - Confidential

[illegible]

2

[REDACTED]

1 [REDACTED] - Confidential

2 Q. You never really said any negative
3 things, right, to Ms. Powers about Mr. Rubin?
4 A. I'm not sure.
5 Q. There is nothing here, is there,
6 other than your statement that he was rude
7 the first time you saw him?
8 A. I'm just seeing what is written
9 here on these papers.
10 Q. So moving along, isn't it true from
11 the documents that Mr. McDonald showed you,
12 that when you came to New York, you usually
13 would be given a key to the penthouse by the
14 concierge at the front desk?
15 A. Yeah.
16 Q. So that meant that you could come
17 and go as you pleased from the penthouse?
18 A. Yeah, I was given a key to get
19 inside.
20 Q. And you spent significant periods
21 of time alone in the penthouse, isn't that
22 right?
23 A. I was alone some.
24 Q. When you could have left whenever
25 you wanted?

Page 294

1 [REDACTED] - Confidential
2 A. I don't know.
3 Q. In fact, you had access, as these
4 messages prove, you had access to WiFi
5 internet in the penthouse, so you are able to
6 text and email, isn't that correct?
7 A. There was supposed to be WiFi.
8 Q. You were able to use the WiFi,
9 isn't that right?
10 A. I'm not sure if I did.
11 Q. But when you asked Ms. Powers for
12 the password, she gave you the password,
13 isn't that right?
14 A. I think so.
15 Q. And you were able to call Seamless
16 and have food delivered, isn't that right?
17 MR. GROSSMAN: Objection.
18 Answer if you can.
19 A. I didn't eat food at the penthouse.
20 Q. Food that you called out and had
21 delivered, right?
22 MR. GROSSMAN: Objection, misstates
23 testimony.
24 You can answer if you can.
25 A. I'm not sure.

Page 295

1 E. [REDACTED] - Confidential
2 MR. GROSSMAN: Counsel, can we take
3 a break?
4 (Recess.)
5 Q. So can you turn to page 5 of
6 Exhibit No. 60-A. Look at two-thirds of the
7 way down, 1/27/16 at 7:26 p.m.
8 Do you see that?
9 A. At what time?
10 Q. 7:26 p.m.
11 A. Okay. Yes, I see it.
12 Q. You see where it says, What is the
13 password for the Seamless ordering food
14 account?
15 A. Yes.
16 Q. Then Jen tells you the password and
17 you say, Thanks, Jen?
18 A. Yes, I see that.
19 Q. Does that refresh your recollection
20 that you ordered takeout food to the
21 penthouse?
22 A. Yes.
23 Q. That was brought by a delivery man
24 that came to the door of the penthouse?
25 A. I don't know, I can't remember.

Page 296

1 [REDACTED] - Confidential
2 Q. Someone brought you the food?
3 A. Yeah.
4 Q. Right after you had an encounter
5 with Mr. Rubin, isn't that right?
6 A. I think so.
7 Q. So right after you had sex, rough
8 sex with Mr. Rubin, somebody came to the
9 apartment and brought you food, isn't that
10 right?
11 A. I'm not sure.
12 Q. But I mean, that is what happened,
13 you ordered Seamless and a delivery person
14 came and brought you food?
15 A. I'm not sure if they came or I
16 asked and I never ordered, I'm not sure.
17 Q. But, in any case, you were
18 considering ordering food to the penthouse,
19 right?
20 A. If I needed to eat, yes.
21 Q. So your injuries, if any, can't
22 have been so severe that you were able to
23 order food and eat and see a delivery person
24 immediately after you saw Mr. Rubin, isn't
25 that right?

Page 297

1 [REDACTED] - Confidential
2 [REDACTED]